

REMARKS/ARGUMENTS

In the office action, it is alleged that the drawings fail to show Figures 10 and 11 as described in the specification. A copy of the originally filed Figures 10 and 11 are enclosed herewith. A copy of these originally filed Figures 10 and 11 are also contained in the USPTO PAIR website. Accordingly, Applicants respectfully request reconsideration and withdrawal of the drawing objection.

In the office action, claims 1-48 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-20 of U.S. Patent No. 6,944,653. Responsive to this rejection, Applicant is hereby filing herewith a terminal disclaimer to overcome the obviousness-type double patenting rejection that is alleged in the office action. Accordingly, Applicants respectfully request reconsideration and withdrawal of the obviousness-type double patenting rejection.

Various claims are being amended as shown above. No new matter is being added by virtue of the claim amendments.

In the office action, claims 1-48 were rejected under 35 U.S.C. 102(e) as allegedly being unpatentable over Paul, et al. (US Pat. No. 6,466,972 B1). Applicants respectfully traverse the rejection.

Paul is directed to a distributed data processing system network 400 (Figure 4) including client computers 402-404 and boot server 406. The boot server 406 contains configure information that is deployed to the client computers. The configuration information are defined into templates known as machine classes, where a machine class

will match a target client computer. However, Paul does not disclose and does not suggest the use of rules that determine the deployment information that are available to deploy on the one or more data processing systems and deployment action on the one or more data processing systems, as substantially recited in claim 1. Accordingly, independent claim 1 distinguishes over Paul, at least by reciting a method that use these rules to determine the available deployment information and deployment action, and such recited features are not disclosed or suggested by Paul. Accordingly, claim 1 is patentable over Paul.

Independent claims 8, 14, 27 and 34 are also being amended to recite the above similar features that are not disclosed and are not suggested by Paul. Accordingly, claims 8, 14, 27 and 34 are each patentable over Paul.

Claims 2-7, 9-13, 15-26, 28-33, and 35-48 depend from one of claims 1, 8, 14, 27, and 34 and are each patentable over Paul for at least the same reasons that their respective base claim is patentable over Paul. Furthermore, the dependent claims each distinguishes over Paul by reciting additional features in combination with the features recited in their respective base claim. Accordingly, the dependent claims 2-7, 9-13, 15-26, 28-33, and 35-48 are each patentable over Paul.

For the above reasons, Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. §103.


For the above reasons, Applicants respectfully request allowance of all pending claims.

CONTACT INFORMATION

If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (805) 681-5078.


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Respectfully submitted,
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